

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TRAVELERS CASUALTY INSURANCE)	
COMPANY OF AMERICA A/S/O)	
STATE & LOUISE, LLC,)	
and 216 LOUISE, LLC)	
)	
Plaintiff,)	No. 3:14-cv-02262
)	JURY DEMAND
v.)	
)	
LILIANA SANCHEZ d/b/a)	
LS PLUMBING, PRECISION)	
PLUMBING COMPANY, INC.,)	
TRISTAR CONSTRUCTION, INC.,)	
JOSE GUADALUPE PEREZ, JOSE)	
GUADALUPE PACHECO, JOSE RICARDO)	
CAMPOS, ARTURO SANCHEZ, AND)	
DELFINO SANCHEZ,)	
)	
Defendants.)	

AFFIDAVIT OF DAVID WRIGHT

I, David Wright, after being duly sworn, state on oath as follows:

1. I am over twenty-one (21) years of age, and I am competent to testify in this matter. I have personal knowledge of the matters stated in this affidavit.
2. Since 2001, I have been licensed as a professional engineer in the State of Tennessee. I have been working in the field of forensic engineering and fire investigation in Tennessee since that time. I have been working at Wright Fire & Forensics, LLC, since 2010. My curriculum vitae is attached as Exhibit A.
3. I conducted an engineering investigation for a fire that occurred on January 30, 2014 at a 20-unit apartment building located at 216 Louise Avenue, Nashville, Tennessee (hereinafter "the Building"). That investigation included a joint examination of the fire scene on February

26, 2014. As a result of that investigation, I reached the opinions set forth in this affidavit, all of which I hold to a reasonable degree of professional engineering certainty. They are more likely than not. All of the facts and data which I have relied on in reaching those opinions is the type of information which experts in the particular field of forensic investigation would reasonably rely on in forming an opinion on the subject.

4. The fire was caused by the negligence of plumbers (hereinafter "the Plumbers") using a torch to make repairs at the Building on January 30, 2014. The Plumbers were working for LS Plumbing, which had been hired by Precision Plumbing.

5. The Plumbers were not following established and applicable codes and standards for preventing fires while using a torch at the Building.

6. The Plumbers negligently disregarded the presence of combustible materials in the wall near where they were working with the torch.

7. The Plumbers were negligent per se by violating several provisions of the International Fire Code, the National Fire Protection Association's Standards for Fire Prevention, and the Occupational Safety and Health Administration's guidelines.

8. The Plumbers were performing hot work without the approval of any fire code official, in areas where readily ignitable materials were present, without the appropriate shielding to prevent sparks, slag, or heat from igniting exposed combustibles.

9. The Plumbers were performing hot work in areas where there were openings or cracks in the walls, floors, ducts, or shafts and which were not tightly covered or otherwise shielded to prevent the passage of sparks or flame.

10. The Plumbers were performing hot work without employing an appropriate fire watch during hot work activities and for a minimum of thirty minutes after the conclusion of the work.

11. The Plumbers were performing hot work without a pre-hot work check and without at least one daily inspection of the area by the individual responsible for authorizing hot work operations to ensure that all equipment is safe and all hazards are recognized and protected.

12. The Plumbers were performing hot work without the presence of a responsible person trained in the fire safety considerations concerned with hot work.

13. The Plumbers were using a torch to complete plumbing work without completing the training and competence examination necessary to obtain a plumbing license, in violation of the Metro Government of Nashville and Davidson County Plumbing Code.

FURTHER AFFIANT SAITH NOT.

David Wright
DAVID WRIGHT

STATE OF TENNESSEE)
)
COUNTY OF Sumner)

Personally appeared before me, the above-named David Wright, who, on his oath, swore to the truth of the aforesaid matters.

Witness my hand and official seal on this 9th day of April, 2015.

Kaitlyn Fox
NOTARY PUBLIC

My Commission Expires

04/24/2018

